

## FREQUENTLY ASKED QUESTIONS

### LLAP GRANT APPLICATION

#### **Can “Urbanizing” areas be funded?**

We can fund an “urbanizing” project area within the Central Valley if the area is still non urban (<10,000 people) by the project completion date.

#### **Are “coastal” levees eligible?**

Yes. Although language in the guideline sway heavily towards traditional levee projects, we will accept and review all types of projects; this includes but is not limited to flood walls, detention basins, berms, or any structures addressing freeboard deficiencies or substandard encroachment.

#### **Are Tribes eligible for assistance under the local levee assistance program?**

Tribes are not eligible under the Local Levee Assistance Program (LLAP) as a Lead Agency. Tribes may be part of a Joint Powers Authority, pursuant to Section 6500 of the State Government Code, or may seek out a Local Agency to manage the grant program for the reservation. In 2008, we provided Prop 84 grant funding under the LLAP to Del Norte County for a project on the Klamath River for the Yurok Tribe.

#### **Is our agency eligible under CEQA categorical exemption 15XXX?**

As the Lead Agency you will need to determine whether the NOE (Notice of Exemption) is sufficient to fulfill CEQA requirements. During the Consensus Team review of the application, DWR environmental scientists will review the applications for documentation of CEQA compliance. During this review period, the Consensus Team members may ask applicants to submit additional information. If the environmental reviewers determine that the NOE is not sufficient, they will contact you for more information at that time. Our scientist cannot review the project before an application is submitted.

#### **Under the LOLE strategy, are reimbursements for FEMA Certification eligible for the entire scope of the evaluation or limited to only geotechnical, H&H and survey elements?**

Eligible costs for a project are those directly related to performing an evaluation or feasibility study, developing a final geotechnical or feasibility study report, and any reporting to fulfill requirements by the State grant program. Costs related to additional documents required by FEMA or interaction with FEMA will not be eligible. Section 5.03 of our Guidelines lists eligible costs under the LOLE.

#### **Are there restrictions for the length/schedule of a project?**

We do not impose any restrictions on length or schedule of a project. During our consensus/review period however, if the schedule is not reasonable then it may not rank very high.

#### **If a project contains multiple project sites, is a separate authorizing resolution needed for each site?**

A separate resolution will be required for each project/proposal submitted. However, if a single project contains multiple sites, the number of separate resolutions required will be determined at the discretion of the local agency board.

#### **Can DWR look over a project site or application beforehand?**

No, we will have a consensus meeting period lasting 60 days in which the applicant can provide additional information if needed/requested. We will be using contacts listed in the “Contact Info” portion of our application to request any additional data.

**How should work completed prior to application, but part of a future project be requested/presented in the application?**

Describe the project as a whole when submitting the application. Do not only include the future work, but all the work completed as part of the project even if some of it is in the past. In the application, discuss the work that has been completed. In your task list, show the percentage completed of each task. In your cost breakdown, include the amount already expended for each task, and show the amount for which you will be requesting credit. In the schedule, show the entire schedule from the kick off date, even if it is in the past.

**If an evaluation has already been completed and a project is undergoing implementation/construction, can one application be submitted? Which strategy would an applicant apply for?**

Applicant would apply separately for an LOLE reimbursement and a LLCR project. Additionally, a letter would need to be submitted to DWR confirming the applicant has sufficient funds to begin the project early before any State funds are made available. To summarize, Evaluation & Construction grants should be submitted separately while Design/Construction contracts may be submitted as a combination grant.

**Is DWR required to award contracts based on strategy or geographic location?**

DWR will try to award contracts throughout California and between separate strategies. However, there are no current limitations on how DWR proportions the awards. Contract awards will ultimately be based on the number of complete applications received and flood benefit.

**How are census blocks determined?**

Page 57 of our guidelines (Appendix C) lists a procedure that can be used to determine the median income of a project area based on census blocks.

**In many cases the census areas and benefited area do not line up with one another. How is this issue addressed in determining household median income?**

If a single census geographic unit does not match the benefited area, page 57 of the guidelines describes how to extract median household income using census tracts and census block groups. Please note that it is beneficial to explicitly explain how the benefit area income information was calculated if there are questionable boundary elements.

**To what extent can "Disadvantaged Community" cost share enhancement be utilized if only a portion of the benefit area is disadvantaged?**

When calculating cost share enhancement, the median household income of the entire benefit area must be taken into consideration. If the median of the benefit area is below the average median for California, the difference will be your percentage for cost share enhancement.

**Making the attorney certification invites negligence liability for levee failure in future years and I will have considerable difficulty in getting the certification from our counsel. Is there any flexibility (or qualification allowed) in the certification requirement?**

All certifications and resolutions must be signed by the appropriate authorities. Failure to provide any certifications will result in an incomplete application that cannot be reviewed. For legal concerns we recommend contacting the DWR attorney involved in our project solicitation. Please email our legal staff, Robin Brewer, at [rebrewer@water.ca.gov](mailto:rebrewer@water.ca.gov) for legal inquiries.

### How is the benefit cost ratio determined?

Benefit cost ratios (BCR) for projects must be greater than 1. We do not explicitly specify how benefit cost analysis should be performed. However, we are providing an excel worksheet developed by DWR that can be used to determine the BCR. It is preferable to complete the BCR using the provided worksheet or a similar format as it is consistent with our current methodology. For additional resources refer to the Federal *Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies* and the DWR Draft Economic Guidelines (links below). Because BCR calculations vary significantly by project, DWR will have economists evaluate the analyses done and, if required, further information may be requested during the 60 day consensus period. If there are any further questions concerning the BCR please contact our staff economist, Farhad Farnam, by email at [farhad@water.ca.gov](mailto:farhad@water.ca.gov).

#### DWR BCR Worksheet



DWR\_LLAP\_BC\_Worksheet.xlsx

#### Federal P&G

[http://www.usace.army.mil/CECW/Documents/pgr/pg\\_1983.pdf](http://www.usace.army.mil/CECW/Documents/pgr/pg_1983.pdf)

#### DWR Assessing Flood Management Investments

<http://www.whitehouse.gov/administration/eop/ceq/initiatives/PandG>